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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

MEETING DATE January 17, 2014 LOCAL EFFECTIVE DATE January 31, 2014 APPROX DATE February 21, 2014	CONTACT/PHONE Kerry Brown & Megan Martin (805) 781-5713, (805) 781-4163	APPLICANT John Two Hearts Madrid	FILE NO. DRC2012-00041
SUBJECT A request by John Two Hearts Madrid for a Minor Use Permit/ Coastal Development Permit to allow for a three (3) unit hotel of 5,670 square feet. The site is composed of two parcels of 3,220 square feet and 2,760 square feet respectively totaling 5,980 square feet. The proposed project will be built across both parcels and result in the disturbance of the entire site area. The site is located at 1111 Strand Way, approximately 100 feet north of the intersection of Pier and Strand Avenues, located in the community of Oceano. The site is in the San Luis Bay Coastal planning area.			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit DRC2012-00041 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, found that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 12, 2013 and is hereby adopted for this project. Mitigation measures are proposed to address Biological Resources, Geology and Soils, Noise, Public Services/Utilities, and Land Use and are included as conditions of approval.			
LAND USE CATEGORY Commercial Retail	COMBINING DESIGNATION Airport Review Area, Archaeological Study Area, Coastal Appealable Zone, Commercial Retail, Local Coastal Plan Area, Visitor Serving Area	ASSESSOR PARCEL NUMBER 061-011-005, 061-011-006	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Oceano Urban Area Standards, Oceano Specific Plan, curb/gutter/sidewalk, Minor Use Permit required in Commercial Service land use category Does the project meet applicable Planning Area Standards: Yes - see discussion			
LAND USE ORDINANCE STANDARDS: Development standards, Airport review area, Coastal Zone, Visitor Serving Area Does the project conform to the Land Use Ordinance Standards: Yes - see discussion			

FINAL ACTION

This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14 calendar day local appeal period after the administrative hearing.

The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.

EXISTING USES:

Vacant, undeveloped

SURROUNDING LAND USE CATEGORIES AND USES:

North: Recreation / Pismo State Beach	East: Commercial Retail / Vacant
South: Commercial Service / Commercial	West: Recreation / Pismo State Beach

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:

The project was referred to: Public Works, Environmental Health, Air Pollution Control Board (APCD), Cal Trans, Regional Water Quality Control Board (RWQCB), Building Division, Oceano Airport, Airport Land Use Commission, Oceano Community Services District (Including Fire), Coastal Commission, Oceano Advisory Council

TOPOGRAPHY:

Level to gently sloping

VEGETATION:

Vacant

PROPOSED SERVICES:

Water supply: Community system / Oceano CSD
 Sewage Disposal: Community sewage disposal system / Oceano CSD
 Fire Protection: Oceano Fire Department

ACCEPTANCE DATE:

October 31, 2013

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
 COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242

DISCUSSION

PLANNING AREA STANDARDS:

As described below, the project complies with applicable development standards as outlined in the Oceano Specific Plan and San Luis Bay Coastal Area Plan.

Oceano Specific Plan

Pier Avenue

Properties from Pier Avenue, from the Lagoon to the beach, are designated for commercial retail use. Commercial retail uses are generally tourist servicing. The Oceano Specific Plan states "...Pier Avenue should be developed with visitor serving uses and provide accommodations for tourists to the area...It should [Pier Avenue] provide an opportunity for the area north of Pier Avenue by the beach to be developed into a coherent commercial area with shops, restaurants and perhaps a hotel".

Staff Response: The proposed development complies with the standards within the Oceano Specific Plan. The three-unit hotel would provide accommodations for tourists traveling to or visiting the Oceano area. Additionally, as proposed, the scale of the project is compatible with surrounding commercial uses.

Curb, Gutter and Sidewalk

The County has approved requirements for new construction to provide curb, gutter and sidewalk improvements in Oceano. Curb, gutter and sidewalk improvements may be waived, modified, or delayed consistent with Section 23.05.106 of the Coastal Zone Land Use Ordinance.

Staff Response: The Department of Public Works approved a Curb, Gutter and Sidewalk waiver for the three-unit hotel with the following conditions: A cross gutter will need to be completed across the east-west alley. Improvement plans must be submitted to Public Works for review and approval. Prior to building permit issuance the owner must post a performance bond in accordance with the Ordinance and provide a drainage plan routing site drainage to the cross gutter. As conditioned, the project will include street improvements and provide the level of drainage protection required for development in the area and to meet County Standards.

Design Guidelines

Orientation. The proposed development employs vertical and horizontal articulation to its design, which is described as appropriate and encouraged architectural design envisioned by the Oceano Specific Plan.

Architectural Features. Features such as balconies that help give human scale and interest to buildings are encouraged in the Commercial Retail land use category of Oceano. The proposed development incorporates balconies as well as patios into the design of each unit. The patios are separated and will be for private use by the residents of each hotel unit.

Roofs. The roof will be flat with materials that are consistent with the character of the building.

Exterior Walls and Materials. The project as conditioned will be required to submit a final color and materials board prior to the issuance of grading and construction permits. The materials board will be reviewed for consistency with the guidelines in the Oceano Specific Plan and the approved project.

Lighting. The proposed development as conditioned will be required to submit a lighting plan at the time of application for grading and construction permits. The lighting plan shall follow the guidelines of the Oceano Specific Plan, and include the following:

- Lighting shall complement architectural elements, changes in material of the ground plane and landscaping; and
- Lighting shall be used to provide illumination for the security and safety of on-site areas such as entrances, exits, parking, loading, pathways, and working areas; and
- Lighting shall be provided for the pedestrian to create a sense of welcoming on the public sidewalk; and
- Provide a greater number of softer light sources over having only a few very bright lights; and
- Design of light fixtures and structural supports should be architecturally compatible with the main building; and
- Illuminators shall be integrated within the architectural design for the buildings; and
- All lighting shall be shielded to confine light spread within the site boundaries. Lighting shall be provided from one-half hour after sunset to one-half hour before sunrise at all exits, entrances, loading areas, parking lots, plazas and alleys. An average of one foot candle evenly distributed across the site is a suggested minimum; with up to two foot candles at entrances, exits and areas. Lighting shall be minimized in or adjacent to Environmentally Sensitive Habitat Areas such as the sand dune and lagoon environments, in order to protect sensitive habitat values.
- The following lighting fixtures shall not be used:
 - Mercury vapor lights (metal halide or high-pressure sodium lamps are preferable for most applications);
 - Fluorescent light tubes that are exposed without filtering lenses;
 - Fluorescent lamps without non-color corrected bulbs (color correction may also be accomplished by a color-correcting lens)
- Light shall be focused downward. Direct light should shine a minimum of 20 degrees below a horizontal plane and in no case above the horizontal plane; and
- Any signs located on the property shall shine from above not from below.

Landscape Design. The proposed development as conditioned will be required to submit a landscaping plan at the time of application for grading and construction permits.

San Luis Bay Coastal Area Plan

Airport Review Area (AR)

Limitation on Uses within Airport Review Area

Allowable uses are limited to those designated as “compatible” or “conditionally approvable” by the adopted Oceano County Airport Land Use Plan.

Staff Response: The project will be located within an Airport Review Area. On November 20, 2013, the Airport Land Use Commission determined the project consistent with the Oceano County Airport Land Use Plan. It is located within Area C of the Airport Planning Areas defined

in the Airport Land Use Plan (ALUP). Area C includes commercial use areas exposed to airport impacts such as noise. Approved development should include those limited to “activities, which attract few people”. The maximum intensity of use should be no greater than 25 to 40 persons per acre. The ALUP, however, allows review of small-scale individual projects and categorizes them as a unique circumstance when otherwise they fail to meet policies consistent with the ALUP. The proposed development is approximately 5,980 square feet and would accommodate fewer than 40 persons per acre (Unit 1 built at 1,500 square feet, Unit 2 built at 2,520 square feet, and Unit 3 built at 550 square feet). With the addition of the hotel, the area, when taken as a whole, would remain in compliance with state standards.

Commercial Retail

Limitation on Use – Oceano Beach. Uses allowed by Coastal Table O, Part I of the Land Use Element may be permitted in the Oceano Beach area except: schools; auto, mobilehome and vehicle dealers and supplies; building materials and hardware; furniture; home furnishings and equipment; mail order and vending; and vehicle storage.

Staff Response: The proposed development complies with this standard. Table O of the Land Use Element identifies hotels and motels as permitted uses within the Commercial Retail land use category.

LAND USE ORDINANCE STANDARDS:

As described below, the project complies with applicable development standards as outlined in the Coastal Zone Land Use Ordinance

Site Design Standards

Section 23.04.124 – Height Limitations

The maximum height for new structures in the Commercial land use category is 35 feet.

Staff Response: The proposed development complies with this standard. The maximum height of the structure measured from natural grade is 26 feet and is conditioned as such. Additionally, the Oceano Specific Plan encourages development to not exceed two (2) stories.

Section 23.04.166(9) Transient Lodgings

The Coastal Zone Land Use Ordinance establishes parking requirements by land use. Hotels and Motels are required to have two (2) spaces, plus one (1) space for every unit. There are three units in the proposed development; the hotel will be required to have five (5) spaces for its users.

Staff Response: The proposed development will have five (5) parking spaces and complies with this standard. Two (2) separate garages that will hold two (2) vehicles each for a total of four (4) spaces. The development also proposes one (1) temporary space for service vehicles and visitors.

Section 23.04.180 – Landscaping, Screening, and Fencing

In accordance with this section, development projects in the Commercial Retail land use categories are required to establish a procedure for designing, installing and maintaining water efficient landscapes; and establish provisions for water management practices and limit the waste of water; and educate and provide guidelines to property owners in choosing planting materials, efficient irrigation systems, soil management and appropriate maintenance to create landscapes that are both attractive and water conserving.

Staff Response: A landscaping plan is required at the time of application for a grading and construction permit pursuant to the standards of Sections 23.04.180 et seq. As conditioned, the landscaping plan for the project will utilize non-invasive drought tolerant species that will further enhance and restore native habitat.

Section 23.04.320- Outdoor Lights

Illumination only. Outdoor lighting is to be used for the purpose of illumination only, and is not to be designed for or used as an advertising display, except as provided by Sections 23.04.300 et. Seq. (Signing).

Light directed onto lot. Light sources are to be designed and adjusted to direct light away from any road or street, and away from any dwelling outside the ownership of the applicant.

Minimization of light intensity. No light or glare shall be transmitted or reflected in such concentration or intensity as to be detrimental or harmful to persons, or to interfere with the use of surrounding properties or streets.

Light sources to be shielded:

Ground illuminating lights. Any light source used for ground area illumination except incandescent lamps of 150 watts or less and light produced directly by the combustion of natural gas or other fuels, shall be shielded from above in such a manner that the edge of the shield is level with or below the lowest edge of the light source. Where any light source intended for ground illumination is located at a height greater than eight feet, the required shielding is to extend below the lowest edge of the light source a distance sufficient to block the light source from the view of any residential use within 1,000 feet of the light fixture.

Elevated feature illumination: Where lights are used for the purpose of illuminating or accenting building walls, signs, flags, architectural features, or landscaping, the light source is to be shielded so as not to be directly visible from off-site.

Height of light fixtures. Free-standing outdoor lighting fixtures are not to exceed the height of the tallest building on the site

Staff Response: As conditioned, the project will comply with these standards. The applicant will be required to submit a lighting plan at the time of application for grading and construction permits. The plan will be reviewed and approved prior to issuance of any permits.

Combining Designations

Section 23.07.120 Local Coastal Program Area (LCP)

In accordance with the Coastal Zone Land Use Ordinance section 23.07.120 the project is within the California Coastal Zone as determined by the California Coastal Act of 1976.

Section 23.07.104 Archaeologically Sensitive (AS)

The proposed project falls within the Archeologically Sensitive designation as delineated by the official maps of the Land Use Element. In the event archaeological resources are unearthed or discovered during any construction activities, construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

Staff Response: The project is located in an area historically occupied by the Obispeno Chumash and Salinan. The project complies with the requirements of Section 23.07.104 because a Phase I (surface) survey was conducted by Terry L. Joslin, Ph.D., RPA in December 2012. The records search included information on all surveys within a hundred foot radius and sites within a 0.25-mile radius of the current project area. No cultural resources were identified within or in the immediate vicinity of the current survey area. The proposed development is conditioned to comply with this standard in the event archaeological resources are unearthed or discovered.

Section 23.07.080 – Geologic Study Area (GSA)

The project site is located within an area identified by the Seismic Safety Element as being subject to soil liquefaction.

Staff Response: The proposed development complies with this standard. The site is located within a high liquefaction area, and is subject to the preparation of a geological report per the County's Land Use Ordinance Section 23.07.084(c) to evaluate the area's geological stability. An Engineering and Soils Geological report were conducted for the project by GeoSolutions, Inc. in April and March, 2013, respectively. A review of the reports was issued on May 1, 2013 by certified geologist Brian Papurello of LandSet Engineers, Inc. The potential for liquefaction susceptibility at the project site has been characterized as "high". On-site investigation showed poor sub-surface soil conditions and shallow groundwater located at approximately 12 feet below ground surface with several layers of soil identified as potentially liquefiable.

The prepared geotechnical studies of the property and proposed development identify impacts from liquefaction as potentially significant, however, GeoSolutions Inc., stated the planned development is geologically suitable and should not affect the geologic stability of the site provided the recommendations provided in the report dated April 15, 2012 are implemented. Those recommendations have been incorporated into the Conditions of Approval in Exhibit B for implementation at the site to mitigate the potential impacts caused by liquefaction and expansive soils.

Special Uses

Section 23.08.262 Hotels, Motels

Permit requirement. Two to 39 units. Minor Use Permit approval, except that Development Plan approval is required for all hotels and motels in the Recreation category.

Density. The density of a hotel or motel is not limited by this title except that a site for such use shall be designed to accommodate all proposed units while also satisfying all applicable height, setback, parking and other standards of this title and the Land Use Element without the need for modification, adjustment or variance of such standards.

Parking. Hotels and motels shall provide off-street parking as set forth in Section 23.04.166c(9) (Transient Lodgings). In the event that a hotel or motel includes any facilities in addition to overnight units (e.g., restaurant, bar, meeting rooms, etc.), all additional facilities shall be provided off-street parking as required by Section 23.04.166c of this title, in addition to the parking required for the hotel or motel.

Staff Response: The project complies with these standards. The proposed project meets all height, setback, parking and Minor Use Permit requirements.

COASTAL PLAN POLICIES:

Shoreline Access: <input checked="" type="checkbox"/>	Policy No(s): 2
Recreation and Visitor Serving: <input checked="" type="checkbox"/>	Policy No(s): 1, 2
Energy and Industrial Development:	N/A
Commercial Fishing,	
Recreational Boating and Port Facilities:	N/A
Environmentally Sensitive Habitats:	N/A
Agriculture:	N/A
Public Works: <input checked="" type="checkbox"/>	Policy No(s): 1, 10
Coastal Watersheds: <input checked="" type="checkbox"/>	Policy No(s): 35
Visual and Scenic Resources:	N/A
Hazards: <input checked="" type="checkbox"/>	Policy No(s): 1, 2
Archeology: <input checked="" type="checkbox"/>	Policy No(s): 4
Air Quality: <input checked="" type="checkbox"/>	Policy No(s): 1

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COASTAL PLAN POLICY DISCUSSION:

Shoreline Access

Policy 2: New Development. Maximum public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development. Exceptions may occur where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; (2) adequate access exists nearby, or; (3) agriculture would be adversely affected.

Staff Response: The project as proposed complies this policy. Adequate access to the shoreline (Oceano Dunes State Recreation Area) exists via Pier Avenue. Access to surrounding dune areas shall be avoided due to the fragile ESHA environment that exists so

close to the property line. Conditions 15 and 33 in Exhibit B require an educational pamphlet be created and given to any hotel users so they understand how important it is to avoid the dune ESHA environment.

Recreation and Visitor-Serving Facilities

Policy 1: Recreation Opportunities. Coastal recreational and visitor-serving facilities, especially lower-cost facilities, shall be protected, encouraged and where feasible provided by both public and private means.

Staff Response: This proposed development complies with this policy. As a hotel, the proposed use is considered a visitor-serving facility.

Policy 2: Recreational development and commercial visitor-serving facilities shall have priority over non-coastal dependent use, but no over agriculture or coastal dependent industry in accordance with PRC 30222. All uses shall be consistent with protection of significant coastal resources.

Staff Response: This proposed development complies with this policy. A hotel will serve visitors and the project, as proposed and conditioned, is consistent with the protection of significant coastal resources nearby the project site.

Public Works

Policy 1: Availability of Service Capacity. New development (including divisions of land) shall demonstrate that adequate public or private service capacities are available to serve the proposed development.

Staff Response: The proposed development complies with this policy. The project proposes to obtain its water needs from the Oceano Community Services District. The project will be served by the South San Luis Obispo County Sanitation District for wastewater disposal whose system is currently operating at acceptable levels and has the capacity to support existing commitments in addition to the proposed project.

Policy 10: Encouraging Development within the Urban Services Line. During the periodic update of the Local Coastal Program, including area plan updates, the County and California Coastal Commission should require new or expanded urban development to be located within the Urban Services Line (USL) of coastal communities.

Staff Response: The project is located within the Oceano Urban Reserve Line and complies with this policy.

Environmentally Sensitive Habitat

Policy 35: Protection of Vegetation. Vegetation which is rare or endangered or serves as cover for endangered wildlife shall be protected against any significant disruption of habitat value. All development shall be designed to disturb the minimum amount possible of wildlife or plant habitat.

Staff Response: The proposed development complies with this policy. The applicant submitted a Biological Resources Assessment completed by Kevin Merk Associates in July 2013. No special status plants or plant communities such as central dune scrub or foredune habitat were present onsite. Three small occurrences of a special status plant, Blochman's leafy daisy were observed on surrounding properties to the north, east and west. While no suitable habitat was found on the project site, development activity has the potential to impact neighboring habitats

and species. Mitigation in the form of a masonry wall (three to four feet in height) constructed on the north, east and west perimeters have been proposed by the applicant. Additionally, several conditions and mitigation measures have been included to reduce potentially significant impacts to biological resources associated with construction and occupation of the proposed project to a less than significant level pursuant to the California Environmental Quality Act.

Hazards

Policy 1: New Development. All new development proposed within areas subject to natural hazards from geologic or flood conditions (including beach erosion) shall be located and designed to minimize risks to human life and property.

Staff Response: The proposed development complies with this policy. The site is located within a high liquefaction area. An Engineering and Soils Geological report were conducted for the project by GeoSolutions, Inc. in April and March, 2013, respectively. The report found that the potential susceptibility for liquefaction is "high". On-site investigation showed poor sub-surface soil conditions and shallow groundwater located at approximately 12 feet below ground surface with several layers of soil identified as potentially liquefiable. GeoSolutions Inc., stated the impacts from liquefaction is considered potentially, however, the planned development as designed is geologically suitable and should not affect the geologic stability of the site provided the recommendations provided in the report dated April 15, 2012 are implemented. Those recommendations have been included in the conditions of approval attached as Exhibit B.

Policy 2: Erosion and Geologic Stability. New development shall ensure structural stability while not creating or contributing to erosion or geological instability.

Staff Response: The proposed development complies with this policy. GeoSolutions Inc., stated the planned development as designed is geologically suitable and should not affect the geologic stability of the site. Recommendations were provided in the report dated April 15, 2012 and have been included in the conditions of approval attached as Exhibit B.

Archaeology

Policy 4: Preliminary Site Survey for Development within Archaeologically Sensitive Areas. Development shall require a preliminary site survey by a qualified archaeologist knowledgeable in Chumash culture prior to a determination of the potential environmental impacts of the project.

Staff Response: The proposed development complies with this policy because a Phase I (surface) survey was conducted by Terry L. Joslin, Ph.D., RPA in December 2012. No cultural resources were identified within or in the immediate vicinity of the survey area.

Air Quality

Policy 1: Air Quality. The county will provide adequate administration and enforcement of air quality programs and regulations to be consistent with the county's Air Pollution Control District and the State Air Resources Control Board.

Staff Response: The proposed development complies with this policy. The project will result in the disturbance of approximately 5,980 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation.

COMMUNITY ADVISORY GROUP COMMENTS:

Oceano Advisory Council: The Oceano Advisory Council was referred the project on November 30, 2012 and met to discuss the project and concerns in January 2013. No response has been received (as of December 24, 2013).

AGENCY REVIEW:

Public Works: The proposed project triggers Curb Gutter and Sidewalk requirements per Section 23.05.106 of the Land Use Ordinance. A cross gutter will need to be completed across the east-west alley. Improvement plans must be submitted to Public Works for review and approval. Prior to building permit issuance the owner must post a performance bond in accordance with the Ordinance and provide a drainage plan routing site drainage to the cross gutter.

Staff Comment: On December 17, 2012, the Department of Public Works approved a Curb, Gutter and Sidewalk waiver with the following comments and conditions: The development of Smith Avenue is incompatible due to environmental constraints and not needed for future circulation. Strand Way and the alley's improvements are incompatible due to too narrow a width to accommodate full curb, gutter and sidewalk improvements (in addition, Strand Way is in a blanket waiver area). Public Works is recommending limited frontage improvements (such as completion of the cross gutter across the alley along Strand Way) for drainage purposes under the Minor Use Permit.

Regional Water Quality Control Board (RWQCB): No comments submitted.

Building Division: No comments submitted.

Oceano Airport: The applicant will be required to file an FAA Form 7460-1 to be reviewed by the FAA.

Airport Land Use Commission: On November 20, 2013, the Airport Land Use Commission determined the project consistent with the Oceano County Airport Land Use Plan.

Oceano Community Services District (Including Fire): No comments submitted.

Coastal Commission:

1. Dune ESHA. It appears that the site is, or is likely to be, 100% dune ESHA habitat and the proposal is for a hotel, which is not resource dependent.) As you are probably aware, the adjacent site just seaward was the location of a former hotel/motel approval but which was never built and which had a host of dune ESHA implications and issues. We have that staff report if you'd like to see it and review. This seems like the dune ESHA issues will be compounded compared to that one. It will be important to get our biologist's analysis of the area as well on top of what is described in the LCP for this area. It will be important to understand the history of this site (what has been/is underneath the dunes and how degraded/disturbed it is/has been over time.
2. Hazards. It will be important to have the applicant undertake a full sea level rise and inundation flood report for this site as well as other geotech investigations.
3. Legal lot status. It will be important to get a full history of the lot's prior uses, land use designation and legal status for any potential staff report.

4. Permitting jurisdiction. This would entail a CDP from us as well as any local permits. Is the County planning on requesting a consolidated CDP or dual permitting?

Staff Response:

1. *A biological report was prepared (Kevin Merk Associates, July 2013). No special status plants or plant communities such as central dune scrub or foredune habitat were present onsite. Three small occurrences of a special status plant, Blochman's leafy daisy were observed on surrounding properties to the north, east and west. While no suitable habitat was found on the project site, development activity has the potential to impact neighboring habitats and species. Mitigation in the form of a masonry wall (three to four feet in height) constructed on the north, east and west perimeters have been proposed by the applicant. Additionally, several conditions and mitigation measures have been included to reduce potentially significant impacts to biological resources associated with construction and occupation of the proposed project to a less than significant level pursuant to the California Environmental Quality Act*
2. *The applicant completed a Survey which determined that the lowest point of the property is 19.5", this exceeds the minimum elevation requirements for the year 2100. Additionally a liquefaction study was completed for the site.*
3. *See discussion below for legal lot status.*
4. *The County of San Luis Obispo is the permitting agency for this site; a Coastal Development Plan will also be processed by the California Coastal Commission.*

LEGAL LOT STATUS:

One of the two existing parcels is Lot 27 in Block 43 of Oceano Beach Subdivision No. 2, according to Map filed for record August 10, 1905 in Book A, Page 150 of Maps and was legally created by deed at a time when that was a legal method of creating parcels.

One of the two existing parcels is Lot 28 in Block 43 of Oceano Beach Subdivision No. 2, according to Map filed for record August 10, 1905 in Book A, Page 150 of Maps and was legally created by deed at a time when that was a legal method of creating parcels.

Staff report prepared by Megan Martin and reviewed by Kerry Brown and Bill Robeson.